

### REMARKS

The Examiner, in the Official Action, has finally rejected claim 1 under 35 USC § 102(b) as being anticipated by Yamauchi et al. (5,575,507) for the reasons set forth therein.

Applicant respectfully submits that the Yamauchi reference does not teach or suggest the invention as taught and claimed by Applicant. In the independent claims, claims 1, 2, 6 and 7, all require that there is provided a protective over layer having a machine readable indicia integrally formed thereon during application of said protective over layer on said receiving layer. Applicant respectfully submit that the design of the Yamauchi reference is not an integral part of the layer as taught and claimed by Applicant. In particular, as set forth at column 3, lines 53-56, Yamauchi states that "The protective layer 4 may be provided over, or on a part of, the recorded information at a step separate from the step of recording each type of information." Further, as set forth at column 4, lines 5-6, the design is preferably located adjacent to at least a protective layer. This is in contrast to the present invention wherein the readable indicia is integrally formed within the protective layer. In the present invention, the formation of the indicia occurs during placement of the protective layer over the image receiving layer. While the '507 reference discusses preprinting on the film, the '507 reference does not teach or suggest that the indicia is actually formed integrally as a part of the layer. Thus, the preprinting requires a separate material, i.e. ink. In the present invention, the indicia is formed as a part of the material during application, thus, the indicia in the present invention is an integral part of the protective layer as opposed to something that is applied to the protective layer. Thus, the present invention is structurally different from the cited '507 reference. There is no teaching or suggestion of providing the indicium integrally part of the layer as taught and claimed by Applicant.

In view of the foregoing it is respectfully submitted that the claims in their present form are in condition for allowance and such action is respectfully requested.

Respectfully submitted,



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